

CALIFORNIA ENERGY COMMISSION

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**Before the Energy Resources Conservation and Development Commission of the
State of California**

Implementation of Renewables Portfolio)	Docket No. 03-RPS-1078
Standard Legislation)	RPS Proceeding
)	
and)	
Implementation of Renewables Investment)	Docket No. 02-REN-1038
Plan Legislation)	Renewable Energy Program

**REVISED ERRATA TO THE COMMITTEE DRAFT RENEWABLES
PORTFOLIO STANDARD ELIGIBILITY GUIDEBOOK**

The following list of errata was incorporated by reference into the *Renewables Portfolio Standard Eligibility Guidebook (RPS Eligibility Guidebook)* upon its adoption by the California Energy Commission at its December 19, 2007, business meeting. The errata provide staff clarifications to the text of the *RPS Eligibility Guidebook* based on party comments received during the comment period and also those made during the December 19, 2007, business meeting. The errata are non-substantive and make clarifying and conforming changes to revisions already proposed in the committee draft *RPS Eligibility Guidebook*. The errata also implement changes to the text of the *RPS Eligibility Guidebook* based on Energy Commission direction provided during the business meeting.

RENEWABLES PORTFOLIO STANDARD ELIGIBILITY GUIDEBOOK

II. ELIGIBILITY REQUIREMENTS

B. Eligibility for the Renewables Portfolio Standard

5. Solar Energy and Distributed Generation

Page 24, third full paragraph, is revised as follows:

The Energy Commission will certify facilities that would have been considered distributed generation facilities except that they are participating in a standard contract/tariff executed pursuant to Public Utilities Code 399.20, as implemented through the CPUC Decision 07-07-027 (R.06.05.027), ~~or~~ executed pursuant to a

comparable standard contract/tariff approved by a local publicly owned electric utility (POU), or if the facility is owned by a utility and meets other requirements to become certified as RPS-eligible.

C. Eligibility of Out-of-State Facilities

Page 29, last paragraph, is revised as follows:

This exception only applies to situations wherein these multi-jurisdictional utilities procure energy to meet their own RPS obligations. In the event that these facilities are located out-of-state and their generation is procured to meet the RPS targets of another retail seller~~obligated utility~~, the facility would be subject to all out-of-state eligibility requirements, including delivery requirements.

D. Delivery Requirements

Page 32, footnote 22, is revised as follows:

²² Beginning January 1, 2008, it will be acceptable for an RPS-certified facility to ~~enter into a PPA with~~ sell power to a retail seller, procurement entity, or third party, pursuant to a PPA, and so long as all such parties must use and beare registered as account holders with and use WREGIS as part of RPS compliance. A third party's participation in out-of-state transactions is contingent upon all parties to that transaction (third party, generator, load serving entity, and California ISO) participating in WREGIS to verify RPS compliance.

Page 32, middle of third full paragraph, is revised as follows:

The electricity generated and associated RECs from the RPS-certified facility must be procured through a power purchase agreement with the retail seller, procurement entity or third party.

Page 32, last paragraph, is revised as follows:

~~Electricity from the RPS-eligible facility may be remarketed consistent with any applicable CPUC rules so long as the quantity of the electricity delivered into California matches the amount originally procured from the out-of-state RPS-eligible facility.~~

Page 33 is revised as follows:

1. The retail seller, procurement entity, ~~or facility representative~~ or third party must either (a) arrange for an interchange transaction with the California ISO to deliver the out-of-state facility's energy (or a matching amount of energy from another out-of-state source located within the WECC) to a point of delivery in California, or (b) arrange for an interchange transaction with another balancing authority outside California to deliver energy to the point of delivery in California.

3. The RPS certification number of the facility or facilities (or RPS pre-certification number, in the case of local publicly owned electric utilities) that is/are engaged in a power purchase agreement with a retail seller, ~~or~~ procurement entity or third party, (or for a local publicly owned electric utility implementing these delivery requirements as part of compliance with its RPS) must be shown on the Miscellaneous field of the NERC E-Tag.
5. The facility representative, retail seller, ~~or~~ procurement entity or third party (or local publicly owned electric utility implementing these delivery requirements as part of compliance with its RPS) must request and receive acceptance of a NERC E-Tag between a balancing authority in California and any balancing authority located in the WECC outside of California.

Page 34 is revised as follows:

6. On May 1 of each year (or the next business day), the retail seller, ~~or~~ procurement entity or third party must submit an annual report to the Energy Commission documenting compliance with this NERC E-Tag requirement for the previous calendar year.

E. Eligibility of Tradable Renewable Energy Certificates or Credits

Page 35, fifth paragraph, is revised as follows:

This provision will go into effect on January 1, 2008, when all generating facilities, retail sellers, procurement entities, and third parties participating in California's RPS must use and be registered as account holders with WREGIS as part of RPS compliance, with the exception of PG&E, SDG&E and SCE, which are required to register with and use WREGIS by May 1, 2008, as part of RPS compliance.

III. CERTIFICATION PROCESS

C. Additional Required Information for Biofuels, Hydroelectric and Out-of-State Facilities

3. Instructions for Additional Required Information for Out-of-State Facilities

Page 49 is revised as follows:

1. Out-of-State Facilities: Representatives of all other out-of-state facilities seeking certification as RPS-eligible must submit the following additional information with a completed CEC-RPS-1A form or CEC-RPS-1B form.
 - b) An assessment as to whether the facility's development or operation will cause or contribute to a violation of any of these LORS in the region of California most likely to be affected by the facility's development or operation.

Page 51 is revised as follows:

2. Out-of-Country Facilities: In addition to the above information, an applicant for a facility located outside the United States must provide all of the following:
 - An explanation as to how the facility's developer and/or operator will ~~meet~~ protect the environment to the same extent as provided by these LORS for a similar facility located in California in developing or operating the facility, including whether the developer and/or operator will secure and put in place mitigation measures to ensure that these LORS are followed.

IV. GENERATION TRACKING AND VERIFICATION SYSTEM

Page 57, third paragraph, is revised as follows:

Effective January 1, 2008, the Energy Commission requires RPS-certified facilities, retail sellers, procurement entities and third parties to participate in the WREGIS as part of RPS compliance, except for PG&E, SDG&E and SCE, which must register with and use WREGIS by May 1, 2008, as part of RPS compliance.

A. Reports to the Energy Commission

Page 58, second paragraph, is revised as follows:

To verify generation, the facility must submit monthly payment statements from the retail seller, ~~or procurement entity or third party~~ as an attachment to the form showing the amount of energy procured from the facility.

Page 58, third paragraph, is revised as follows:

This reporting requirement will be satisfied through the CEC-RPS-Track form until WREGIS is operational for generation that occurred through December 31, 2007, for all retail sellers except PG&E, SCE and SDG&E, which may use the CEC-RPS-Track form for generation that occurs through April 30, 2008. ~~and~~ Retail sellers do not need to file separate CEC-RPS-GEN forms for the facilities they certify.

C. Energy Commission RPS Procurement Verification Report

Page 59, second paragraph, is revised as follows:

The Verification Report will be based on the results of the interim tracking system for procurement through 2007. Beginning January 1, 2008, with the exception of procurement by PG&E, SDG&E and SCE, the WREGIS data will replace the interim tracking system for procurement of RPS-eligible energy generated in 2008. For these three retail sellers, the WREGIS data will replace the interim tracking system for RPS procurement beginning May 1, 2008. The Verification

Report that evaluates procurement in 2008 will be developed in 2009. Thus, 2009 is the first year that the Energy Commission intends to publish a Verification Report based primarily on data from the WREGIS.

1. Verification of Delivery

Page 61, first full paragraph, is revised as follows:

The monthly information on NERC E-Tag data for each facility will be compared to the monthly generation procured from an RPS-eligible facility per LSE, with the lesser of the two annual totals considered to be eligible California RPS procurement.

2. Verification Methodology Using the Interim Tracking System

Page 61, middle of first paragraph in this subsection, is revised as follows:

Also, to the extent possible the Energy Commission will ensure that RPS-eligible energy procured by retail sellers is counted only once in California or any other state. In the interim until January 1, 2008, or until May 1, 2008, for PG&E, SDG&E and SCE, when the use of WREGIS is required for tracking renewable generation, the Energy Commission will conduct this verification by cross-checking RPS procurement with retail claims reported under the Energy Commission's Power Source Disclosure Program and other similar data sources.